



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Pierre BROUN *et al.*

Application No.: 09/117,921

Filed: March 04, 1999

For: PRODUCTION OF HYDROXYLATED
FATTY ACIDS IN GENETICALLY
MODIFIED PLANTS

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) Group Art Unit: 1638
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) Examiner: E. McElwain
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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 8, 2003 (Paper No. 26) of the Examiner's final rejection of claims 35-41. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a two-month extension of time from July 8, 2003 through September 8, 2003. An extension for one month has already been secured.

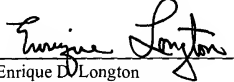
If an additional extension of time is required, please consider this a Petition therefor.

The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 for payment of the extension of time fee and the Notice of Appeal fee as set forth on the accompanying transmittal form.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **September 8, 2003**
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Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP


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